



IN THE CLAIMS:

1. (Currently Amended) A method, comprising ~~the steps of~~:
determining that a fluctuation of a predetermined parameter related to a radio uplink channel transmission exists, and
changing a spreading factor used for uplink channel spreading to counteract said fluctuation in order to keep a the predetermined parameter related to said fluctuation in a predetermined range, defined by a low value and a high value, by increasing or decreasing said spreading factor, wherein said changing the spreading factor is carried out only if a frame or block error rate meets a selected criterion.
2. (Canceled)
3. (Canceled)
4. (Currently Amended) The method of claim 1, wherein said ~~step of determining~~ is carried out in a radio network and wherein said method further comprises: ~~the step of sending~~ a spreading factor control signal from said network to a mobile station followed by said mobile station carrying out said ~~step of~~ changing said spreading factor.
5. (Canceled)
6. (Canceled)
7. (Canceled)
8. (Canceled)

9. (Canceled)

10. (Currently Amended) The method of claim 1, wherein said ~~step of determining~~ further comprises the ~~step of~~ determining a said frame or block error rate of said radio uplink channel, and ~~wherein said step of changing the spreading factor is carried out only if said frame or block error rate meets a selected criterion.~~

11. (Currently Amended) The method of claim 1, wherein said ~~step of determining~~ comprises the ~~step of~~ detecting in a radio network said fluctuation in said radio uplink channel from a mobile station to said a network, and wherein said method further comprises: the step of transmitting a transmit power control (TPC) signal from said network to said mobile station commanding a change in said spreading factor to counteract said fluctuation.

12. (Canceled)

13. (Canceled)

14. (Canceled)

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26. (Canceled)

27. (Canceled)

28. (Canceled)

29. (Currently Amended) An apparatus, comprising:

means for determining that a fluctuation of a predetermined parameter related to a radio uplink channel transmission exists, and

means for changing a spreading factor used for uplink channel spreading to counteract said fluctuation in order to keep ~~a~~ the predetermined parameter related to said fluctuation in a predetermined range, defined by a low value and a high value, by increasing or decreasing said spreading factor, wherein said changing the spreading factor is carried out only if a frame or block error rate meets a selected criterion.

30. (Canceled)

31. (Canceled)

32. (Currently Amended) The apparatus of claim 29, wherein means for determining is located in a radio network and wherein said apparatus further comprises means for sending a spreading factor control signal from said network to a mobile station to means ~~(88)~~for deciding a change in spreading factor.

33. (Canceled)

34. (Canceled)

35. (Canceled)

36. (Canceled)

37. (Canceled)

38. (Currently Amended) The apparatus of claim 29, ~~wherein said step of determining~~ further comprises means for determining a frame or block error rate of said radio uplink channel. and wherein said means for changing the spreading factor changes the spreading factor only if said frame or block error rate meets a selected criterion.

39. (Currently Amended) The apparatus of claim 29, wherein said ~~step of determining~~ comprises the ~~step of detecting~~ in a radio network said fluctuation in said radio uplink channel from a ~~mobile station~~said apparatus to said ~~a~~ network, and wherein said apparatus method further comprises the ~~step of~~ means for transmitting a transmit power control ~~(TPC)~~ signal from said network to said ~~mobile station~~apparatus commanding a change in

~~transmit power~~ said spreading factor to counteract said ~~power~~ fluctuation.

40. (Canceled)

41. (Canceled)

42. (Canceled)

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53. (Canceled)

54. (Canceled)

55. (Canceled)

56. (Canceled)

57. (Previously Presented) The method of claim 1, wherein the low value and the high value are equal.

58. (Previously Presented) The method of claim 1, wherein the predetermined parameter is a signal-to-interference ratio.

59. (Previously Presented) The method of claim 58, wherein the low value of the signal-to-interference ratio equals to the high value of said signal-to-interference ratio.

60. (Previously Presented) The method of claim 29, wherein the low value and the high value are equal.

61. (Previously Presented) The apparatus of claim 29, wherein the predetermined parameter is a signal-to-interference ratio.

62. (Previously Presented) The apparatus of claim 61, wherein the low value of the signal-to-interference ratio equals to the high value of said signal-to-noise interference.